

11/05/01
J1060 U.S. PTO

11-26-01 A

PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. ESPN-INEX CON (2)

First Inventor Michael J. Hope

Title LIPOSOME COMPOSITIONS AND METHODS FOR
THE TREATMENT OF ATHEROSCLEROSIS

Express Mail Label No. EL 717 749 242 US

J1003 U.S.P.T.O.
09/992 107
11/05/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 42]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 12]
- Oath or Declaration [Total Pages 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP)

of prior application No.: 09 / 322,336

Prior application information: Examiner Kishore, G.

Group / Art Unit: 1615

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label or Correspondence address below

Name	Patrea L. Pabst Holland & Knight LLP				
Address	2000 One Atlantic Center 1201 West Peachtree Street				
City	Atlanta	State	GA	Zip Code	30309-3400
Country	United States	Telephone	404-817-8473	Fax	404-817-8588

Name (Print/Type)	Patrea L. Pabst	Registration No. (Attorney/Agent)	31,284
Signature		Date	11/15/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case! Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL

for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 388.00)

Complete if Known

Application Number	Continuation of 09/322,336
Filing Date	November 5, 2001
First Named Inventor	Michael J. Hope
Examiner Name	
Group Art Unit	
Attorney Docket No.	ESPN-INEX CON (2)

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	50-1868
Deposit Account Name	Holland & Knight LLP

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 Surcharge - late filing fee or oath	
127	50	227 Surcharge - late provisional filing fee or cover sheet	
139	130	139 Non-English specification	
147	2,520	147, 2,520 For filing a request for ex parte reexamination	
112	920*	112, 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113, 1,840* Requesting publication of SIR after Examiner action	
115	110	215 Extension for reply within first month	
116	390	216 Extension for reply within second month	
117	890	217 Extension for reply within third month	
118	1,390	218 Extension for reply within fourth month	
128	1,890	228 Extension for reply within fifth month	
119	310	219 Notice of Appeal	
120	310	220 Filing a brief in support of an appeal	
121	270	221 Request for oral hearing	
138	1,510	138, 1,510 Petition to institute a public use proceeding	
140	110	240 Petition to revive - unavoidable	
141	1,240	241 Petition to revive - unintentional	
142	1,240	242 Utility issue fee (or reissue)	
143	440	243 Design issue fee	
144	600	244 Plant issue fee	
122	130	122 Petitions to the Commissioner	
123	50	123 Petitions related to provisional applications	
126	240	126 Submission of Information Disclosure Stmt	
581	40	581 Recording each patent assignment per property (times number of properties)	
146	710	246 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 For each additional invention to be examined (37 CFR § 1.129(b))	
179	279	355 Request for Continued Examination (RCE)	
169	900	169 Request for expedited examination of a design application	

Other fee (specify) _____

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Patrea L. Pabst	Registration No. (Attorney/Agent)	31,284	Telephone	(404) 817-8473
Signature	11/5/00				

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael J. Hope and Wendi Rodriguez

Serial No.: Continuation of 09/322,336 Express Mail Label
No. EL 717 749 242 US

Filed: May 28, 1999 Date of Deposit: November 5, 2001

For: LIPOSOME COMPOSITIONS AND METHODS FOR THE TREATMENT OF
ATHEROSCLEROSIS

Box Patent Application
Commissioner of Patents and Trademarks
Washington, D.C. 20231

**REQUEST FOR FILING A CONTINUATION APPLICATION
UNDER 37 C.F.R. § 1.53(b)**

Sir:

Pursuant to 35 U.S.C. § 21(a), as amended by Public Law 97-247, and 37 C.F.R. §§ 1.10 and 1.53(b), applicants enclose for filing the attached new patent application entitled "*Liposome Compositions and Methods for the Treatment of Atherosclerosis*". This application is a continuation of pending prior application Serial No. 09/322,336, filed May 28, 1999, entitled "*Liposome Compositions and Methods for the Treatment of Atherosclerosis*", by Michael J. Hope and Wendi Rodrigueza, now U.S. Patent No. 6,312,719, which issues November 6, 2001, which is a continuation of U.S. Serial No. 09/175,553 filed October 20, 1998, now U.S. Patent No. 6,139,871, which is a continuation of U.S. Serial No. 08/507,170 filed July 26, 1995, now abandoned, which is a continuation of U.S. Serial No. 08/206,415 filed March 4, 1994, now abandoned. The application includes 1 page of abstract, 38 pages of specification, 3 pages of

Continuation of U.S.S.N. 09/322,336

Filed: May 28, 1999

REQUEST FOR FILING A CONTINUATION

APPLICATION UNDER 37 C.F.R. § 1.53(b)

Express Mail Label No.: EL 717 749 242 US

Date of Deposit: November 5, 2001

claims, 12 sheets of formal drawings, and a copy of the executed Declaration and Power of Attorney from prior application Serial No. 08/206,415.

Pursuant to 37 C.F.R. § 1.63(d), the copy of the executed Declaration and Power of Attorney included in the new application is a copy of the executed Declaration filed in prior application Serial No. 08/206,415, to which the new application claims benefit.

The inventorship for the claims in the new application is the same as in parent application Serial No. 09/322,336.

Enclosed from prior application Serial No. 08/206,415 is a copy of the recorded Assignment from Michael J. Hope and Wendi Rodrigueza to The University of British Columbia, recorded May 9, 1994, at Reel 6983, Frame 0399. Also enclosed from prior application Serial No. 09/322,336 are copies of the (a) executed Power of Attorney by Assignee of Entire Interest and Revocation of Prior Powers by The University of British Columbia; and (b) executed Statement Under 37 C.F.R. § 3.73(b) by The University of British Columbia.

This application is entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.

Enclosed is a check in the amount of \$388.00 to cover the filing fee for a small entity.

It is believed that this is the proper filing fee since the application includes 3 independent claims and a total of 22 claims.

Also enclosed are an (a) Application Data Sheet; (b) Utility Patent Application Transmittal; and (c) Fee Transmittal (in duplicate).

Continuation of U.S.S.N. 09/322,336

Filed: May 28, 1999

REQUEST FOR FILING A CONTINUATION

APPLICATION UNDER 37 C.F.R. § 1.53(b)

Express Mail Label No.: EL 717 749 242 US

Date of Deposit: November 5, 2001

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1868. To facilitate this process, applicants enclose a duplicate of this transmittal.

The power of attorney in the prior application is to Patrea L. Pabst.

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.
HOLLAND & KNIGHT LLP
2000 One Atlantic Center
1201 West Peachtree Street, N.E.
Atlanta, GA 30309-3400

This application is being filed on November 5, 2001, by mailing the application to Box Patent Application, Commissioner of Patents and Trademarks, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R.

Continuation of U.S.S.N. 09/322,336

Filed: May 28, 1999

REQUEST FOR FILING A CONTINUATION

APPLICATION UNDER 37 C.F.R. § 1.53(b)

Express Mail Label No.: EL 717 749 242 US

Date of Deposit: November 5, 2001

§ 1.10. The Express Mail Label number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

Respectfully submitted,



Patrea L. Pabst
Reg. No. 31,284

Date: November 5, 2001

HOLLAND & KNIGHT LLP
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Continuation of U.S.S.N. 09/322,336

Filed: May 28, 1999

REQUEST FOR FILING A CONTINUATION

APPLICATION UNDER 37 C.F.R. § 1.53(b)

Express Mail Label No.: EL 717 749 242 US

Date of Deposit: November 5, 2001

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this paper and any documents referred to as attached or enclosed are being deposited with the United States Postal Service on this date, November 5, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Express Mail Label No. EL 717 749 242 US, addressed to Box Patent Application, Commissioner of Patents and Trademarks, Washington, D.C. 20231.



Pamela Turnbough

Date: November 5, 2001

ATL1 #491360 v1